

**Court of Appeals, State of Michigan**

**ORDER**

CAINE STEEL OF MICHIGAN INC V STEVE HECHT

Docket No. 285452

LC No. 08-110655-CZ

Kathleen Jansen  
Presiding Judge

E. Thomas Fitzgerald

Deborah A. Servitto  
Judges

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The Court orders that the motion for immediate consideration is GRANTED.

Pursuant to MCR 7.205(D)(2), the Court orders that the Wayne Circuit Court's April 30, 2008 preliminary injunction order is VACATED. Plaintiff had the burden of establishing that a preliminary injunction should be issued. MCR 3.310(A)(4). Plaintiff did not present evidence to the circuit court indicating that it was likely to prevail on the merits of its claims, that it would suffer irreparable harm if the injunction was not issued, that it will be harmed more by the absence of an injunction than the defendants would be by granting an injunction, or that an injunction would be in the public interest. *Pharmaceutical Research & Mfgs v Dept of Community Health*, 254 Mich App 397, 402-403; 657 NW2d 162 (2002). The trial court abused its discretion by granting plaintiff the requested injunction based on findings which were unsupported by any evidence.

The Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 28 2008

Date

*Sandra Schultz Mengel*  
Chief Clerk